

MINUTES
BOARD OF PLUMBING APPEALS

Board of Plumbing Appeals, Wednesday, February 1, 2012 at 4:00 P.M. in the First Floor conference room, City Hall, 828 Center Avenue.

Present: David Biebel, Chad Pelishek, Ryan Sazama

Staff present: Scott Winter

Others present: Eric Ellison-Soto & Marcus Krugel

The Pledge of Allegiance was recited.

Hearing on the appeal of Ellison Lukich Plumbing, Inc of the Plumbing Inspector's determination of January 19, 2012.

Ryan Sazama moved, Chad Pelishek seconded to open the floor. Motion carried.

Chairperson Biebel read the letter to the Board requesting a lesser amount of fine/penalty. The Plumbing Inspector has issued penalties/fees totaling \$10,290.00 for not obtaining plumbing permits for the installation of replacement electric water heaters with gas water heaters.

Eric Ellison-Soto was present to represent the company. He feels there is a gray area in the code whether a permit is required or not.

Hearing on the appeal of Portside Plumbing and Mechanical, LLC of the Plumbing Inspector's determination of January 19, 2012.

Marcus Krugel of Portside Plumbing was present. He explained that Purchase Orders were issued from Partners for Community Development to install new gas water heaters in the Sunnyview Apartment Complex in place of the electric water heaters. Mr. Krugel explained that he felt the penalties/fees should be based by the building and not by the unit. Portside Plumbing has been assessed \$15,030 in penalties based on the current penalty schedule.

Scott Winter, City of Sheboygan Plumbing Inspector explained that no permits were taken out for the installation of 50 water heaters and that is was located when the Electrical Inspector was completing an electrical inspection. Mr. Winter stated that no plumbing permits were taken for the conversion of electric water heaters to gas water heaters. Mr. Winter explained that a permit is not required for one/two family residences, but when five or more units are in a building it is considered commercial and requires a permit. Also, in order to install gas water heaters, the rooms need to be fire rated and they are not. Mr. Winter recommended that he could support assessing the penalties based by buildings versus units, because in some research of construction files for this property, the building permits were pulled by the building.

Motion to convene in closed session under the exemption provided in §19.85(1)(a) of the Wisconsin Statutes for the purpose of deliberation concerning action to be taken regarding the appeals of Ellison Lukich Plumbing, Inc. and Portside Plumbing and Mechanical, LLC.

Ryan Sazama moved, Chad Pelishek seconded to proceed into closed session. Motion carried.

Chad Pelishek moved, Ryan Sazama seconded to proceed into open session. Motion carried.

Chad Pelishek moved, Ryan Sazama seconded to approve the following:

1. Reducing the penalties for Ellison Lukich Plumbing to \$1,516.00 and include a citation for not completing the work with a permit
2. Reducing the penalties for Portside Plumbing to \$2,048.00 and include a citation for not completing the work with a permit (based on a per building penalty schedule)
3. Issuing a citation to Partners for Community Development since they were acting as the general contractor.

Motion carried.

Being no further business, Ryan Sazama moved, Chad Pelishek seconded to adjourn the meeting at 4:25 PM. Motion carried.

Chad Pelishek
Recording Secretary.